

respectfully noted.

REMARKS

Reconsideration is respectfully requested of the rejection of the applicant's claim for priority under 35 USC 119 (a)-(d) based upon an application filed in the EPO on June 11, 1999. The Examiner asserts that the claim for priority cannot be based on the application because the international application was filed more than 12 months thereafter on June 13, 2000. The Examiner notes that June 11, 2000 was a Sunday. However, June 12, 2000 was a holiday for EP purposes, namely the holiday "Whit Monday". Applicant is submitting herewith page 30 of the Official Journal EPO of January 2000 indicating June 12, 2000 (12.6) was a holiday "Whit Monday". Thus it is respectfully requested that applicant's be accorded the benefit of their filing date in the EPO of June 11, 1999.

Reconsideration is respectfully requested of the objection to the drawings under 37 CFR 1.83 as failing to show Filter Plate 55 as described in the specification on page 18 line 12. Applicant is submitting a sketch of Fig. 3 showing the Filter Plate 55 which is supported by the specification on page 18 line 12. Thus, it is respectfully requested that this objection be withdrawn.

Reconsideration is further respectfully requested of the objection to the drawings because the reference character 49 has been used to designate both the Additional Prism and the Mask Prism. Fig. 3, which is being submitted, substitutes the reference character 47 for the reference character 49, thereby conforming the drawing to the specification. Thus, it is respectfully requested that this objection to the drawings be withdrawn.

Reconsideration is respectfully requested of the objection to the disclosure because of informalities. Applicant is submitting relevant paragraphs showing corrections to the spelling of the words "polarization" and "rotating". Thus it is respectfully requested that the objection to the Disclosure be withdrawn.

Reconsideration is respectfully requested of the rejection of claims 18 and 30 under 35 US 12 as directed to determination of the gap "interferometrically" whereas the corresponding description in the specification lacks any disclosure of interferometric measurement. It is well established that the original claims form part of the specification. To conform the specification to the requirements, applicant is adding the word "interferometrically" after "measuring" in page 9, line 1. A paragraph showing this amendment forms part of this document. Thus it is respectfully requested that this rejection be withdrawn.

Reconsideration is respectfully requested of the rejection of claim 30 as not supported by the specification. Claim 30 is being amended to specify that the intensity of the reference beam exceeds that of the object beam, and thereby conforming it to the specification. A similar change has been made in claim 31. Thus it is respectfully requested that this rejection be withdrawn.

Reconsideration is respectfully requested of the rejection of claims 25, 26, 29, 30, 32, 35, and 37 under 35 USC 112 as containing subject matter not disclosed in the specification.

Claims 25 and 37 have been amended to specify the means for directing the reference light beam at a second face of the coupling element such that it illuminates the interface between the "holographic recording medium and the ambient medium at an angle greater than the critical angle". This is supported in the specification on page 13 lines 17 to 20. This corrects claims 25 and 37 as well as those claims dependent therefrom. Thus it is respectfully requested that this rejection be withdrawn.

Reconsideration is respectfully requested of the rejection of claims 3, 8, 13, 14, 17, 20, 26, 29, 32, 35, and 37 under 35 USC 112 as indefinite in that they are ambiguous in reciting several variables. These claims have been amended to specify the broader of the multiplicity of recited variables and delete the others. Thus this rejection should be

withdrawn.

Reconsideration is respectfully requested of the rejection claim 17 as having no period and allegedly being incorrect on the ground that it is the object beam and the reference beam that are scanned in the recited manner rather than the unsplit illumination beam. Claim 17 has been amended to specify that the illumination light beam is scanned in a first direction such that the reference and object beams scan across the holographic medium and the mask respectively, and then scanning the illumination beam again in the first direction and so, such that the reference and object beams travel simultaneously across the face of the substrate in optical contact with the first face of the coupling element. Thus, it is respectfully requested that this rejection be withdrawn.

Reconsideration is respectfully requested of the rejection of claims as being unpatentable over various combinations of Frosch, Ando, Clube, Holtronic Technologies (EP0421645 A2), Lang, and any of the other cited references.

Independent claims 1, 22, 25, and 37 have been amended to include the features of allowable claim 14, so that the claims and the claims depending therefrom should now be allowable.

In view of the above, it is respectfully requested that all the claims be allowed and the case passed to issue.

A favorable action is solicited.

Respectfully submitted.



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